

APPLICATION FORM: SUBDIVISION

Activity No. <u>PL-15-191</u>	OFFICE USE
Base Fee \$ <u>232</u>	Receipt No. _____
Received By <u>ASJ</u>	Date <u>11/20/19</u>
Deemed Complete By _____	Date _____

I. PROJECT NAME Zinkelville Subdivision Exemption

II. TYPE OF REVIEW

This application form must be accompanied by the applicable submittal checklist.

- Sketch Plan
- Preliminary Plan
- Final Plat
- Road Review (Exempt Subdivision)
- Minor Land Preservation Subdivision
- Major Land Preservation Subdivision
- LPS Administrative Amendment
- Pre-Application Conference
- Division of Land for Public Purpose
- Lot Line Adjustment
- Consolidation Plat
- Plat Correction
- Vacation

III. APPLICANT

Name Susan Berry  
 Mailing Address PO Box 732  
 City Clark State CO Zip 80428  
 Phone 879 2466 Email berry@cmn.net  
 Representative / Primary Contact Same as above  
 Mailing Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

IV. PROPERTY OWNER'S

Name Ken St. Louis, Rae Jean Sielen, Robert Schappell, Marsha Sanford, Jim & Susan Berry  
 Mailing Address Harry Kushniroff  
 City Address & phone attached State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ Email \_\_\_\_\_

V. PROPERTY INFORMATION

Property Address 31445, 31405, 31425, 31365, 31385 CR 64 Clark CO 80428  
 General Location Seedhouse Rd Clark CO  
 Legal Description (may be attached) see title commitments  
 Parcel Identification No. (PIN) \_\_\_\_\_ Total Area (acres) \_\_\_\_\_  
 Proposed Subdivision Name Zinkelville Zoning Aq/Ea  
 Proposed Number of Lots 5 Number of Remainder Parcels (if applicable) 0

VI. SIGNATURES

This application form must be signed by both the applicant and legal owner of the property. Attach additional pages if necessary.

By signing below, the applicant acknowledges that all information contained on this application form and within accompanying submittals are true and correct and agrees to pay all required fees associated with this application. The base fee is intended to cover the estimated minimum staff hours to process the application. Any additional staff hours will be assessed at \$134 per hour. The applicant signing below is responsible for all additional hourly fees. Failure to pay fees may result in revocation of a permit/approval.

Susan Berry Applicant's Signature      Susan Berry Print/type name of applicant

By signing below, the property owner authorizes the applicant to petition Routt County for approval of the submitted application.

Marsha Sanford Property Owner's Signature      Marsha Sanford, Robert Schappell, Print/type name of property owner  
Ken St. Louis      Gretchen Harry Kushniroff, James & Susan Berry  
Susan Berry      Kenneth St. Louis & Rae Jean Sielen

# **E&F Associates**

**Surveyors**

**PO Box 771965 Steamboat Springs, CO 80477 970-879-5977**

## **Zirkelville**

A Subdivision Exemption Plat

### **Narrative**

#### **HISTORY:**

In 1934, James and Hazel Sublett purchased several  $\frac{1}{4}$  and  $\frac{1}{2}$  Section parcels in Section 8, T.9 N., R.84 W. of the 6<sup>th</sup> P.M. During the 1930 Independent Resurvey of the Township, all of these  $\frac{1}{4}$  and  $\frac{1}{2}$  Section parcels had been re-described as Tract 42 by the authority of the General Land Office (GLO) of the Department of the Interior. It was documented as H.E. 017004 Patented by James A. Daniels.

In 1966 Sublett began selling portions of Tract 42 in the form of 0.56 acre parcels along the Elk River. A sketch map with monumentation shown was prepared by Lloyd Patterson LS 5437 in 1965. This map shows the intent of Sublett to sell the entire south 330 feet of the SE portion of Tract 42. Old pipe monuments found along the north line of the parcels may have been set in accordance with this sketch map. The bearings and distances shown on the Sketch Map are exactly the same as the bearings and distances returned on the GLO Independent Resurvey. This indicates that the dimensions on Sketch Map may not have been verified in the field. All of the legal descriptions for the parcels were based on AP 5 Tract 42 and an east-west line 330 feet north of the south line of Tract 42 between AP 5 and AP6. It was apparent that the true location of AP 6 was not known at the time the descriptions were written.

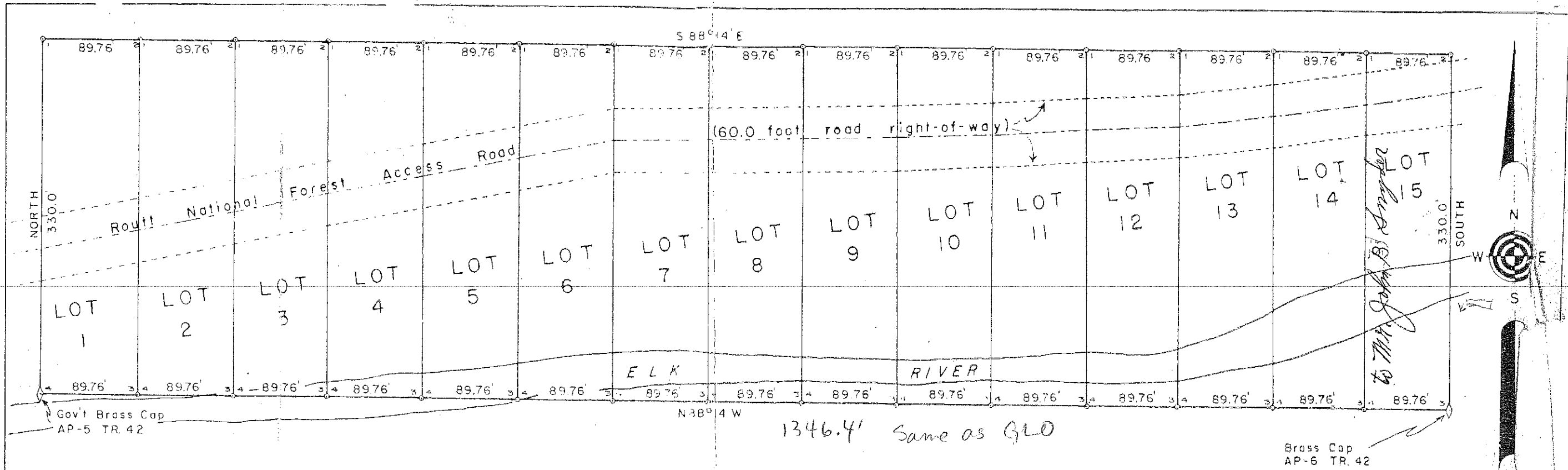
All of the Lots were sold between 1966 and 1970 to several different parties. People began developing the lots during the 1970s. Apparently, in 1996 it was discovered that there had been some survey errors and some cabins had been build across the platted property lines. Old monumentation along the north line was

discovered that caused owners to think their property lines were different than the platted lines. A Boundary Line Adjustment Plat was prepared by D&D Inc. to try to reestablish lot lines to accommodate the existing conditions. Legal descriptions were written and Quit Claim Deeds were recorded to establish the boundaries.

PRESENT:

John Snyder died and left his property to Marsha Sanford and Bob Schappell. When they wanted to sell the parcel, they discovered that the parcel had been created improperly. They realized that the parcel could not be developed under existing County Zoning unless it was established as a legal parcel by County Planning and the County Commissioners. All of the owners of parcels in the subdivision realized the problem and asked how to fix it. They were told that a Subdivision Exemption Plat, if approved, would solve the problem and establish the parcels as they exist as legal parcels. A Survey was conducted of the entire south portion of the SE part of Tract 42. The monumentation on the north line being the south line of Vista Verde Ranch and the Lake property has been accepted and re-monumented by other surveyors and was accepted by Tom Effinger for the Exemption Plat. The east and south boundaries of the Plat are the Tract lines established by the GLO in 1930. Existing occupation and accepted monumentation was accepted as the parcel boundaries for the Plat. All of the owners have agreed to the locations.

The land is very gently sloping on a bluff above the river in a light mature and young timber stand. Routt County Road #64 cuts through the parcels providing easy access to the parcels on both sides of the road. The road is owned in fee by the County and is not included in the lot areas. Individual wells and septic systems provide water and sewer to the parcels. YVEA overhead and underground electric lines provide power to the area.



NOTE: Survey and plat authorized by  
 James E. & Hazel Sublett  
 14555 Bledsoe  
 Sylmar, California

DESCRIPTION OF LOT NO. 15  
 Beginning at AP-5 (Gov't established brass capped corner) TRACT 42 Section 9,  
 T.9N., R.84W. of the 6th Principal Meridian thence North 330.0 feet; thence S88°14'E  
 about 1256.64 feet to Cor. No. 1, the true point of beginning; thence S88°14'E about 89.76  
 feet Cor. No. 2; thence South about 330.0 feet to Cor. No. 3; thence N88°14'W about 89.76  
 feet to Cor. No. 4; thence North about 330.0 feet to Cor. No. 1, the true point of beginning  
 and containing 0.68 acres less 0.12 acres for U.S. Forest Service access road, as shown on  
 this plat.

I, Lloyd B. Patterson, do hereby certify that this plat was plotted from notes  
 of an actual field survey made by me and is true and accurate to the best of my  
 knowledge.

*Lloyd B. Patterson*  
 Lloyd B. Patterson  
 Reg. Land Surveyor No. 5437

PATTERSON SURVEYING	
Box 314	Ph. 679-02
Steamboat Springs, Colorado	
PLAT	
of	
15 LOTS IN TRACT 42	
Sec 8, T.9N., R.84W. 6th Prin. Mer.	
SCALE 1"=100'	Oct. 65

# ZIRKELVILLE

## A Subdivision Exemption Plat in Section 8, T.9 N., R.84 W. of the 6th P.M., Routt County, Colorado.

BE IT HEREBY MADE KNOWN: That Marsha Sanford and Robert A. Schoppell as to Parcel A and James L. Berry and Susan L. Berry as to Parcel B, and Robert A. Schoppell as to Parcel C and Kenneth O. St. Louis and Rae Jean V. Stelen as to Parcel D and Harry J. Jr. and Gretchen Kushniroff as to Parcel E, being the owners of the land described as follows:

**PARCEL A:**  
A TRACT OF LAND LOCATED IN TRACT 42, SECTION 8, TOWNSHIP 9 NORTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ROUTT, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AP 5, TRACT 42;  
THENCE NORTH 330.00 FEET ALONG THE LINE BETWEEN AP 5 AND AP 4 OF SAID TRACT 42;  
THENCE SOUTH 88° 14' 00" EAST 1223.91 FEET ALONG THE NORTH LINE OF A PARCEL OF LAND DESCRIBED AS AN EXCEPTION IN THAT CERTAIN DEED AS FILED WITH THE ROUTT COUNTY CLERK AND RECORDER APPEARING IN BOOK 678 AT PAGE 689, TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 88° 14' 00" EAST 122.50 FEET;  
THENCE SOUTH 00° 00' 00" WEST 330.00 FEET ALONG THE EAST LINE OF THE ABOVE SAID PARCEL TO THE SOUTH LINE OF SAID PARCEL;

THENCE NORTH 88° 14' 00" WEST 128.89 FEET ALONG SAID SOUTH LINE;  
THENCE NORTH 00° 49' 48" EAST 328.89 FEET TO THE TRUE POINT OF BEGINNING.  
BEARINGS ARE BASED UPON THE LINE BETWEEN THE STANDARD BLM BRASS CAPS FOUND FOR AP 5 AND AP 4 OF TRACT 42 BEING NORTH.

LEGAL DESCRIPTION PREPARED BY R.C. MOON, COLORADO REG. NO. 13221, OF D AND D INC., A PROFESSIONAL LAND SURVEYING AND PLANNING COMPANY, P.O. BOX 775008, STEAMBOAT SPRINGS, COLORADO.

UPON RECORDING OF PLAT TO BE KNOWN AS:  
LOT 1, ZIRKELVILLE, COUNTY OF ROUTT, STATE OF COLORADO

**PARCEL B:**  
A TRACT OF LAND LOCATED IN TRACT 42, SECTION 8, TOWNSHIP 9 NORTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ROUTT, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AP 5 TRACT 42;  
THENCE ALONG THE LINE BETWEEN AP 5 AND AP 4 OF SAID TRACT 42 NORTH 00° 13' 45" WEST A DISTANCE OF 326.82 FEET;

THENCE ALONG A LINE WHICH IS THE NORTH LINE OF A GROUP OF LOTS KNOWN AS THE "SUBLETT LOTS" SOUTH 88° 28' 44" WEST A DISTANCE OF 615.07 FEET TO THE TRUE POINT OF BEGINNING;

THENCE ALONG THE SAID NORTH LINE OF THE SAID "SUBLETT LOTS" NORTH 88° 28' 43" EAST A DISTANCE OF 97.93 FEET TO THE AGREED UPON LOT LINE AND A #4 REBAR WITH A YELLOW CAP (FMSI PLS 16394);

THENCE ALONG THE AGREED UPON LINE SOUTH 00° 08' 40" EAST A DISTANCE OF 345.44 FEET TO THE LINE BETWEEN AP 6 AND AP 5 OF SAID TRACT 42;

THENCE ALONG THE LINE BETWEEN AP 6 AND AP 5 OF SAID TRACT 42 NORTH 88° 12' 45" WEST A DISTANCE OF 87.47 FEET TO THE WEST LINE OF A PARCEL OF LAND WHICH IS DESCRIBED IN BOOK 684 AT PAGE 1330 UNDER RECEPTION NO. 421308 OF THE ROUTT COUNTY CLERK AND RECORDER'S RECORDS;

THENCE ALONG SAID WEST LINE NORTH 00° 13' 45" WEST A DISTANCE OF 343.22 FEET TO THE TRUE POINT OF BEGINNING.

BEARINGS ARE BASED ON THE LINE BETWEEN AP 6 AND AP 5 OF SAID TRACT 42 AS BEING NORTH 88° 27' 45" WEST (RECORDED DISTANCE 1346.40 FEET - FIELD DISTANCE OF 1350.71 FEET), BEING MARKED AT BOTH ENDS BY A STANDARD GLD BRASS CAPS, BEARINGS WERE DETERMINED FROM ASSUMED.

UPON RECORDING OF PLAT TO BE KNOWN AS:  
LOT 2, ZIRKELVILLE, COUNTY OF ROUTT, STATE OF COLORADO

**PARCEL C:**  
A TRACT OF LAND LOCATED IN TRACT 42, SECTION 8, TOWNSHIP 9 NORTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ROUTT, STATE OF COLORADO, BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT AP 5 (GOVERNMENT ESTABLISHED BRASS CAPPED CORNER) OF TRACT 42;  
THENCE NORTH 330.00 FEET;

THENCE SOUTH 88° 14' 00" EAST 987.38 FEET TO THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 88° 14' 00" EAST 269.28 FEET;

THENCE SOUTH 330.00 FEET;

THENCE NORTH 88° 14' 00" WEST 269.28 FEET;

THENCE NORTH 330.00 FEET TO THE TRUE POINT OF BEGINNING,  
TOGETHER WITH THAT LAND AS DESCRIBED IN THE DEED RECORDED APRIL 16, 1996 IN BOOK 719 AT PAGE 590.

AND EXCEPTING FROM THE ABOVE DESCRIBED LAND, ANY PORTION AS CONVEYED IN THE DEEDS RECORDED APRIL 16, 1996 IN BOOK 719 AT PAGE 590 AND 591.

UPON RECORDING OF PLAT TO BE KNOWN AS:  
LOT 2, ZIRKELVILLE, COUNTY OF ROUTT, STATE OF COLORADO

**PARCEL D:**  
A TRACT OF LAND LOCATED IN TRACT 42, SECTION 8, TOWNSHIP 9 NORTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ROUTT, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AP 5 TRACT 42;  
THENCE NORTH 330.00 FEET ALONG THE LINE BETWEEN AP 5 AND AP 4 OF SAID TRACT 42;  
THENCE SOUTH 88° 14' 00" EAST 720.35 FEET ALONG THE NORTH LINE OF A PARCEL OF LAND DESCRIBED AS AN EXCEPTION IN THAT CERTAIN DEED AS FILED WITH THE ROUTT COUNTY CLERK AND RECORDER APPEARING IN BOOK 578 AT PAGE 689, TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE SOUTH 88° 14' 00" EAST 252.45 FEET;  
THENCE SOUTH 00° 10' 28" EAST 330.03 FEET TO THE SOUTH LINE OF SAID PARCEL;

THENCE NORTH 88° 14' 00" WEST 281.61 FEET ALONG THE SOUTH LINE;  
THENCE NORTH 00° 19' 08" WEST 330.06 FEET TO THE TRUE POINT OF BEGINNING.

BEARINGS ARE BASED UPON THE LINE BETWEEN THE STANDARD BLM BRASS CAPS FOUND FOR AP 5 AND AP 4 OF TRACT 42 BEING NORTH.

LEGAL DESCRIPTION PREPARED BY R.C. MOON, COLORADO REG. NO. 13221, OF D AND D INC., A PROFESSIONAL LAND SURVEYING AND PLANNING COMPANY, P.O. BOX 775008, STEAMBOAT SPRINGS, COLORADO.

UPON RECORDING OF PLAT TO BE KNOWN AS:  
LOT 3, ZIRKELVILLE, COUNTY OF ROUTT, STATE OF COLORADO

**PARCEL E:**  
A TRACT OF LAND BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT AP 5 (GOVERNMENT ESTABLISHED BRASS CAPPED CORNER) TRACT 42, SECTION 8, TOWNSHIP 9 NORTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ROUTT.

STATE OF COLORADO;  
THENCE NORTH 330.00 FEET;

THENCE SOUTH 88° 14' 00" EAST ABOUT 448.80 FEET TO CORNER NO. 1, THE TRUE POINT OF BEGINNING;

THENCE NORTH 88° 14' 00" EAST ABOUT 89.76 FEET TO CORNER NO. 2;

THENCE SOUTH ABOUT 330.0 FEET TO CORNER NO. 3;

THENCE NORTH 88° 14' 00" WEST ABOUT 89.76 FEET TO CORNER NO. 4;

THENCE NORTH ABOUT 330.0 FEET TO CORNER NO. 1, THE TRUE POINT OF BEGINNING, AND.

A TRACT OF LAND BOUNDED BY A LINE DESCRIBED AS FOLLOWS:

BEGINNING AT AP 5 (GOVERNMENT ESTABLISHED BRASS CAPPED CORNER) TRACT 42, SECTION 8, TOWNSHIP 9 NORTH, RANGE 84 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ROUTT.

STATE OF COLORADO;  
THENCE NORTH 330.0 FEET;

THENCE SOUTH 88° 14' 00" EAST ABOUT 538.58 FEET TO CORNER NO. 1, THE TRUE POINT OF BEGINNING;

THENCE SOUTH 88° 14' 00" EAST ABOUT 89.76 FEET TO CORNER NO. 2;

THENCE SOUTH ABOUT 330.0 FEET TO CORNER NO. 3;

THENCE NORTH 88° 14' 00" WEST ABOUT 89.76 FEET TO CORNER NO. 4;

THENCE NORTH ABOUT 330.0 FEET TO CORNER NO. 1, THE TRUE POINT OF BEGINNING, EXCEPT THAT PORTION CONVEYED IN DEED RECORDED SEPTEMBER 29, 1992 IN BOOK 678 AT PAGE 646.

UPON RECORDING OF PLAT TO BE KNOWN AS:  
LOT 5, ZIRKELVILLE, COUNTY OF ROUTT, STATE OF COLORADO

EXCEPT THE Right-of-Way for Routt County Road 64, containing 5.98 acres in Routt County, Colorado, under the name and style of ZIRKELVILLE, have laid out, platted and subdivided same as shown on this plat and pursuant to all accompanying documents referenced herein, and do hereby irrevocably dedicate to and for the perpetual use of the public by and through the County of Routt, State of Colorado, road, utility and drainage easements, etc. as shown or noted herein, and also does hereby irrevocably dedicate to and for the perpetual use of the public those portions of land labeled as easements for the installation and maintenance of public utilities and drainage, etc., as shown herein.

By our signatures below, each of the undersigned do hereby convey the lots newly created by this Plat to the owners as set forth below and further quit claim any and all interest which we may own lying outside of the lots newly created and owned by each of us, to the true owner thereof, provided however that all easements referenced herein shall survive intact, including without limitation, that certain easement recorded at Book 678 Page 648.

Lot 1 Marsha Sanford and Robert A. Schoppell, as tenants in common  
Lot 2 James L. Berry and Susan L. Berry, as joint tenants  
Lot 3 Robert A. Schoppell  
Lot 4 Kenneth O. St. Louis and Rae Jean V. Stelen, as tenants in common  
Lot 5 Harry J. Kushniroff, Jr. and Gretchen G. Kushniroff, as tenants in common

In witness whereof, the said Marsha Sanford and Robert A. Schoppell have caused their names to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

By: \_\_\_\_\_  
Marsha Sanford

By: \_\_\_\_\_  
Robert A. Schoppell

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ , by Marsha Sanford and Robert Schoppell

Witness my hand and official seal.  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

In witness whereof, the said James L. and Susan L. Berry have caused their names to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

By: \_\_\_\_\_  
James L. Berry

By: \_\_\_\_\_  
Susan L. Berry

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2018, by James L. and Susan L. Berry

Witness my hand and official seal.  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

In witness whereof, the said Kenneth O. St. Louis and Rae Jean V. Stelen have caused their names to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

By: \_\_\_\_\_  
Kenneth O. St. Louis

By: \_\_\_\_\_  
Rae Jean V. Stelen

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ , by Kenneth O. St. Louis and Rae Jean V. Stelen.

Witness my hand and official seal.  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

In witness whereof, the said Harry J. Jr. and Gretchen Kushniroff have caused their names to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

By: \_\_\_\_\_  
Harry J. Kushniroff Jr.

By: \_\_\_\_\_  
Gretchen Kushniroff

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ , by Harry J. Jr. and Gretchen Kushniroff.

Witness my hand and official seal.  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

In witness whereof, the said Robert A. Schoppell has caused his names to be hereunto subscribed this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

By: \_\_\_\_\_  
Robert A. Schoppell

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.

The foregoing Certificate of Ownership and Dedication was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ , by Robert A. Schoppell.

Witness my hand and official seal.  
My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

### CONSENT AND SUBORDINATION BY DEED OF TRUST BENEFICIARY

The undersigned, as Beneficiary under that certain Deed of Trust encumbering the property described herein, as such is recorded at Reception No. \_\_\_\_\_ of the official records of the Routt County Clerk and Recorder, hereby consents to and joins in the platting of the subdivision herein shown and hereby agrees that any and all of its rights and interests under the Deed of Trust shall be and are hereby declared to be joint and subordinate to the subdivision, conveyances, and dedications shown herein.

By: \_\_\_\_\_  
Public Trustee

By: \_\_\_\_\_  
Routt County Public Trustee

STATE OF COLORADO }  
COUNTY OF ROUTT } ss.

The foregoing Consent And Subordination By Deed Of Trust Beneficiary was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_ .

This Land Survey does not constitute a title search by E&F Associates to determine ownership or easements of record. For all information regarding easements, rights-of-way or title of record, E&F Associates relied upon Title Commitment No. R30019091.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

### LAND SURVEYOR'S CERTIFICATE

I, Thomas H. Effinger Jr., being a Registered Land Surveyor in the State of Colorado, do hereby certify that this plat and survey of ZIRKELVILLE was made by me or under my direct responsibility, supervision, and checking, and further state that said plat and survey are accurate to the best of my knowledge. Survey pins, markers, and/or monuments were set as required and shown hereon.

Dated this \_\_\_\_ day of \_\_\_\_\_, AD, 2020

Thomas H. Effinger Jr.,  
Colorado Professional Land Surveyor  
Colorado Reg. No. 17651

### PLANNING COMMISSION APPROVAL

The Planning Commission of Routt County, Colorado did hereby authorize and approve this plat of the above subdivision at the meeting of said Commission held on this \_\_\_\_ day of \_\_\_\_\_, AD, 2020

Steve Wernke  
Chairman, Routt County Planning Commission

### BOARD OF COUNTY COMMISSIONERS APPROVAL

This Plat has been reviewed and is hereby approved for filing by Routt County pursuant to Section 2.5 of the Routt County Subdivision Regulations. Routt County hereby accepts the utility and drainage easements as shown on this Plat. The maintenance of any road, right-of-way, or easement shown on this Plat is subject to the discretion of the Board of County Commissioners and the Board, by the approval of this Plat, makes no commitment either express or implied regarding any level of service or maintenance of such road, right-of-way, or easement as dedicated and accepted herein. Dated this \_\_\_\_ day of \_\_\_\_\_, AD, 2020

Douglas G. Monger  
Chair, BOARD OF COUNTY COMMISSIONERS  
ROUTT COUNTY, COLORADO

Attest:  
Kim Bonner, Routt County Clerk

### ATTORNEY'S CERTIFICATE

I, Jill Brobeck, being an Attorney-at-Law duly licensed to practice before Courts of Record in the State of Colorado, do hereby certify that I have examined the title to all lands herein dedicated and shown upon this plat by review of the Title Commitment No. \_\_\_\_\_ dated \_\_\_\_\_ and that title to such lands is in free and clear of all liens, taxes, and encumbrances, except as follows:  
1. Any facts, rights, interests, or claims which are not shown by the Public Records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.  
2. Easements or claims of easements, not shown by the Public Records.  
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the land.  
4. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.  
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof, but prior to the date of the proposed insured acquiree of record for value the estate or interest or mortgages thereon covered by this Commitment.  
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.  
Dated this \_\_\_\_ day of \_\_\_\_\_, AD 20 \_\_\_\_  
(Signature) \_\_\_\_\_

### ROUTT COUNTY CLERK AND RECORDERS ACCEPTANCE

This plat was accepted for filing in the office of the Clerk and Recorder of Routt County, Colorado, on this \_\_\_\_ day of \_\_\_\_\_, AD, 2020.

Reception No. \_\_\_\_\_ Time \_\_\_\_\_  
File No. \_\_\_\_\_

Kim Bonner  
Routt County Clerk and Recorder

### ROUTT COUNTY SURVEYOR'S ACCEPTANCE

This Plat was filed and indexed as File No. SP \_\_\_\_\_ on \_\_\_\_\_, 2020, at \_\_\_\_\_ m. in the land survey plat records file and index system maintained in the office of the Routt County Clerk and Recorder pursuant to C.R.S. §§ 39-60-101.

Routt County Surveyor

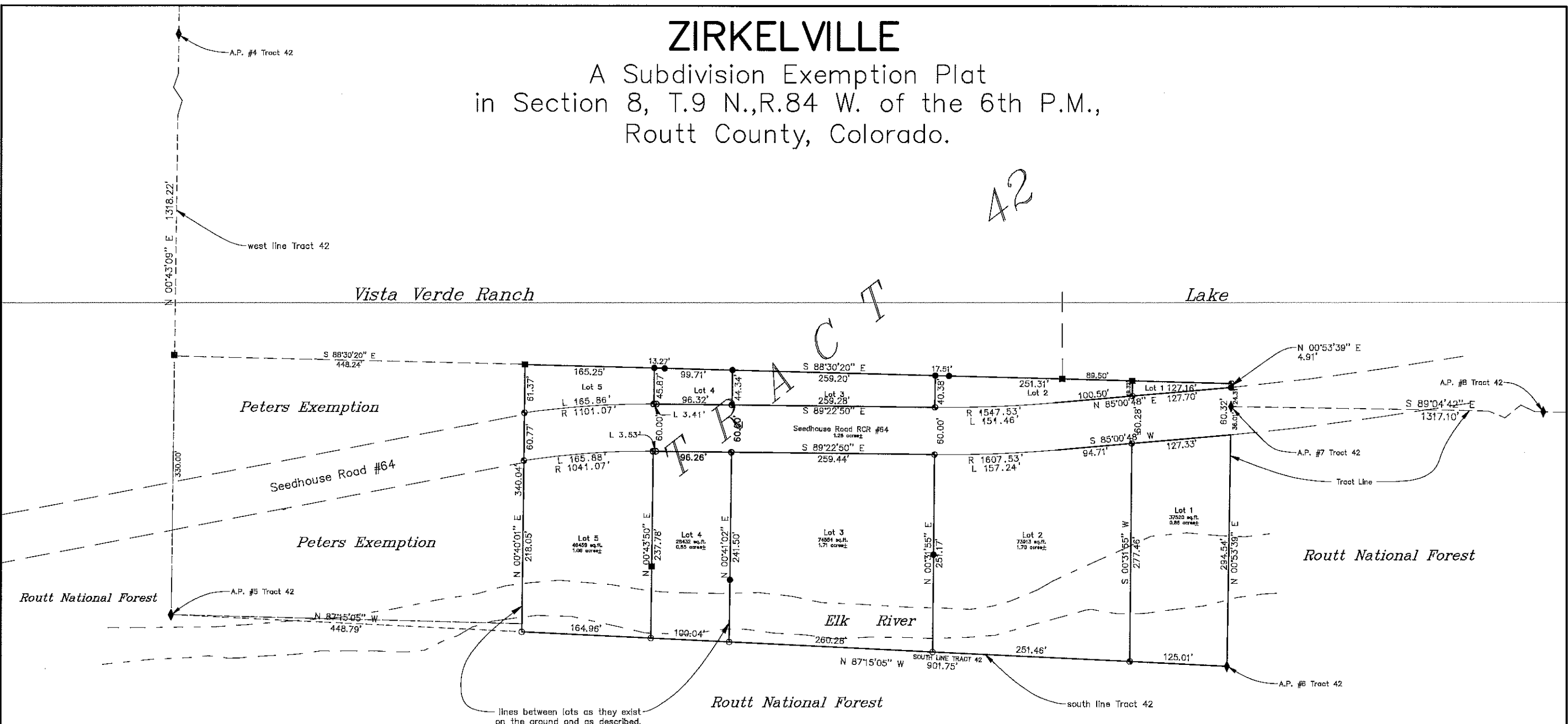
Thomas H. Effinger Jr. LS 17651

<b>E&amp;F Associates</b> P.O. Box 771965 Steamboat Springs, CO 90477 Surveyors	
<b>ZIRKELVILLE EXEMPTION PLAT</b>	
Client: ZIRKELVILLE OWNERS	
Drawing name: ZIRKELVILLE P1	
Drawn by: TE	Date: 1-3-20
Revised: 1-8-20	1/2

# ZIRKELVILLE

A Subdivision Exemption Plat  
in Section 8, T.9 N., R.84 W. of the 6th P.M.,  
Routt County, Colorado.

42

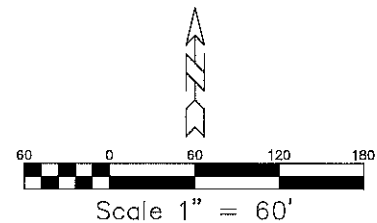


lines between lots as they exist on the ground and as described.

Routt National Forest

### LEGAL DESCRIPTION NOTE

This property is comprised of parcels of land in Tract 42, Section 8, T.9 N., R.84 W. of the 6th P.M., Routt County, Colorado, as described as Parcel A, Parcel B, Parcel C, Parcel D and Parcel E in Title Commitment No. R30023049 being all the land conveyed by deed from James and Hazel Sublett recorded in Book 329, Page 604, Book 329, Page 790, Book 333, Page 792, Book 331, Page 553, Book 326, Page 286, Book 343, Page 683 and Book 343, Page 522 Routt County records to various parties between 1968 and 1970 and monumented by Sublett in those days. Sublett caused the north line of each parcel to be monumented and relied upon GLO bearings and distances for the east and south lines of the land he conveyed, unwittingly leaving gaps between his land and the Government Land. Considering the bearings and distances used in his legal descriptions, it can be ascertained that he intended to convey all of the land in Tract 42 lying between his monumented north line and the south line of Tract 42 being the Forest boundary. The boundary of the conveyed parcels is described as follows:  
A parcel of land in Tract 42, Section 8, T.9 N., R.84 W. of the 6th P.M., Routt County, Colorado, bounded by a line described as follows:  
COMMENCING at AP 5 said Tract 42 being an appropriately marked GLO brass cap monument,  
thence N 00°43'21\"/>



All bearings based on the monumented south line of Tract 42 between AP 5 and AP 6, considered to be N 87°15'05\"/>

### LEGEND

- Indicates a capped #5 rebar marked LS 13221 or LS 16394 found flush to the ground and accepted, unless otherwise noted.
- ⊙ Indicates a capped #5 rebar marked LS 13221 or LS 16394 found flush to the ground and accepted, unless otherwise noted.
- ◆ Indicates an appropriately marked GLO Brass Cap Monument showing 7\"/>

S 89°58'00\"/>

### PLAT NOTES

- a. The suitability of these lots for an individual septic disposal system and the availability of permits for individual septic disposal systems have not been established and such shall be a condition of obtaining a building permit for these lots.
- b. Existing and new accesses shall meet access standards set forth by the Routt County Road and Bridge Department and Fire Prevention Services.
- c. The availability of water and permits for wells on the lots or parcels hereon shown has not been established.
- d. Routt County (County) and the North Routt Fire District (District) shall be held harmless from any injury, damage, or claim that may be made against the County or the District by reason of the County's or the District's failure to provide ambulance, fire, rescue or police protection to the property described on this plat, provided that the failure to provide such services is due to inaccessibility of the property by reason of internal roads being impassable. This conditions shall not relieve the County or the District of their responsibility to make a bona fide effort to provide emergency services should the need arise.

**E&F Associates**  
P.O. Box 771965 Steamboat Springs, CO 80477 Surveyors

**ZIRKELVILLE EXEMPTION PLAT**

Client: Zirkelville Homeowners  
Drawing name: Exempt  
Drawn by: TE Date: 11-17-19 Revised: 11-20-19  
1-3-20

This Land Survey does not constitute a title search by E&F Associates to determine ownership or easements of record. For all information regarding easements, rights-of-way or title of record, E&F Associates relied upon Title Commitment No. R30023049.

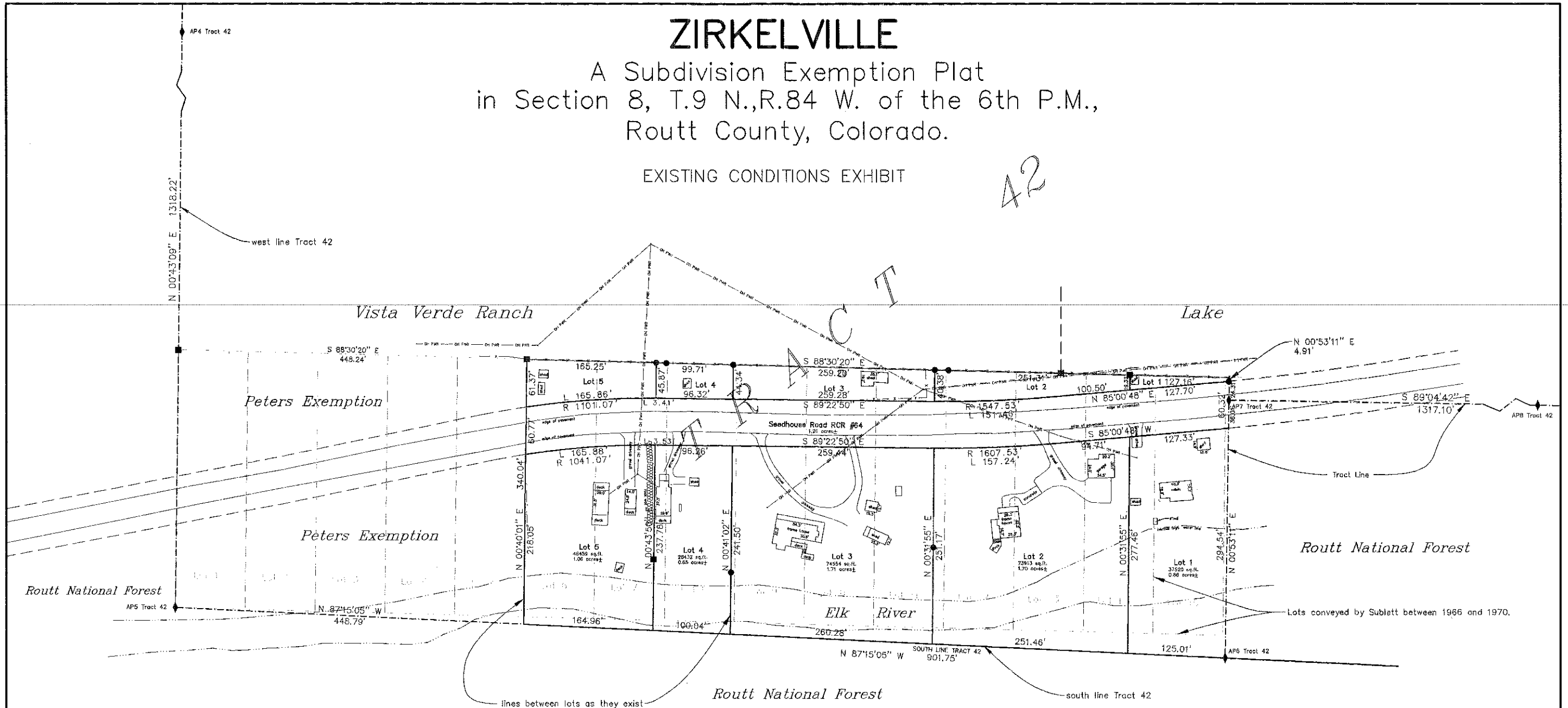
NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

# ZIRKELVILLE

A Subdivision Exemption Plat  
in Section 8, T.9 N.,R.84 W. of the 6th P.M.,  
Routt County, Colorado.

EXISTING CONDITIONS EXHIBIT

42



Routt National Forest

### LEGEND

### LEGAL DESCRIPTION NOTE

- Indicates a capped #5 rebar marked LS 13221 or LS 16394 found flush to the ground and accepted, unless otherwise noted.
- ◆ Indicates an appropriately marked GLO Brass Cap Monument showing 7" above the ground unless otherwise noted.
- Indicates an un-capped 1/2" dia. Iron pipe showing 4" above ground that were caused to be set by Sublett unless otherwise noted.
- Indicates an angle point, no monument found or set.
- S 89°58'00" E Indicates measured bearings and ground distances in feet.
- Indicates an overhead power transmission line.
- Indicates a wire fence.
- ▭ Indicates a building.
- Indicates underground utilities not located or shown.

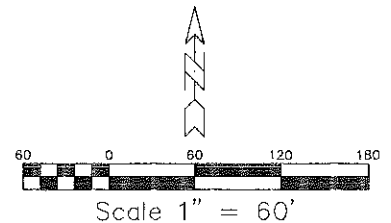
This property is comprised of parcels of land in Tract 42, Section 8, T.9 N.,R.84 W. of the 6th P.M., Routt County, Colorado as described as Parcel A, Parcel B, Parcel C, Parcel D and Parcel E in Title Commitment No. R30023049 being all the land conveyed by deed from James and Hazel Sublett recorded in Book 329, Page 604, Book 329, Page 790, Book 333, Page 792, Book 331, Page 553, Book 328, Page 288, Book 343, Page 883 and Book 343, Page 522. Routt County records to various parties between 1966 and 1970 and monumented by Sublett in those days. Sublett caused the north line of each parcel to be monumented and relied upon GLO bearings and distances for the east and south lines of the land he conveyed, unwittingly leaving gaps between his land and the Government Land. Considering the bearings and distances used in his legal descriptions, it can be ascertained that he intended to convey all of the land in Tract 42 lying between his monumented north line and the south line of Tract 42 being the Forest boundary. The boundary of the conveyed parcels is described as follows:  
A parcel of land in Tract 42, Section 8, T.9 N.,R.84 W. of the 6th P.M., Routt County, Colorado, bounded by a line described as follows:  
COMMENCING at AP 5 said Tract 42 being an appropriately marked GLO brass cap monument, thence N 00°43'21"E 330.21 feet to the NE corner of Peters Exemption, thence S 88°30'20"E 448.24 feet to the True Point of BEGINNING being a capped #5 rebar monument marked LS 17651, thence S 88°30'20"E 902.83 feet, thence S 00°53'11"W 29.22 feet to AP 7 said Tract 42, thence S 00°53'11"W 330.55 feet along the Tract line to AP 6 said Tract 42 being an appropriately marked GLO brass cap monument, thence N 87°15'05"W 901.75 feet to the SE corner of said Peters Exemption, thence N 00°40'01"E 340.04 feet to the true point of BEGINNING.  
County of Routt  
State of Colorado

### LAND SURVEYOR'S CERTIFICATE

I, Thomas H. Effinger Jr., being a Registered Land Surveyor in the State of Colorado, do hereby certify that this Existing Conditions Exhibit, as prepared for Zirkelville Property Owners were prepared by me and under my supervision and that both are correct to the best of my knowledge.

Dated this \_\_\_\_ day of \_\_\_\_\_, AD, 2019.

Thomas H. Effinger Jr.  
Colorado Professional Land Surveyor  
No. 17651



All bearings based on the monumented south line of Tract 42 between AP5 and AP 6, considered to be N 87°15'05"W.

This Land Survey does not constitute a title search by E&F Associates to determine ownership or easements of record. For all information regarding easements, rights-of-way or title of record, E&F Associates relied upon Title Commitment No. R30023049.

NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IF NO OVER, ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

<b>E&amp;F Associates</b>	
P.O. Box 771965 Steamboat Springs, CO 80477 Surveyors	
<b>ZIRKELVILLE EXISTING CONDITIONS</b>	
Client: Zirkelville Homeowners	
Drawing name: Excond	
Drawn by: TE Date: 11-17-19 Revised:	
1/1	